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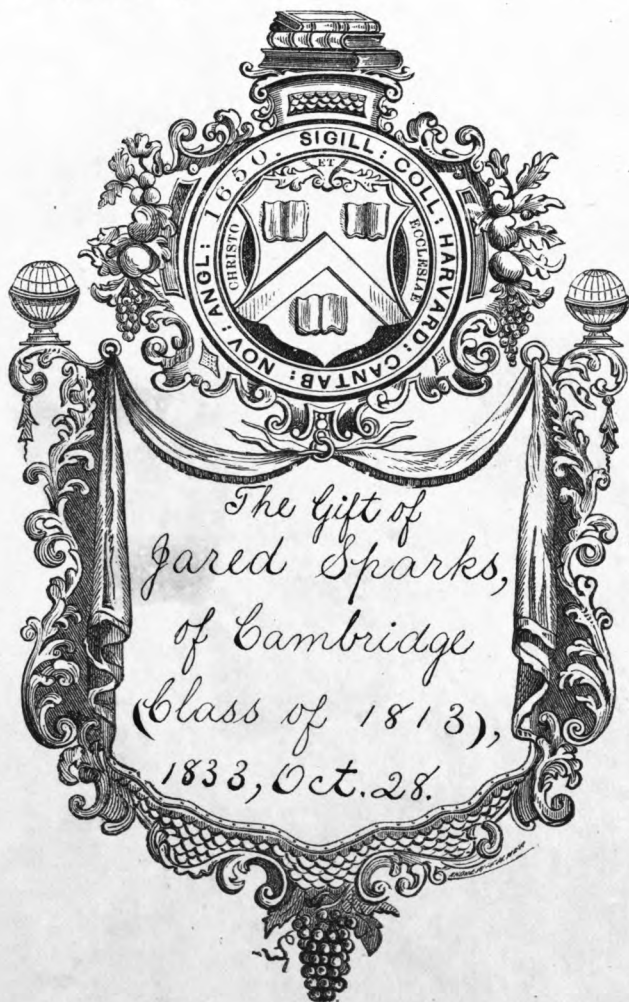


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Recd. May 1871



⊙ 1. See Opposite.

⊙ 2. India. A Second Letter to
Sir Charles Forbes, etc.

wrote by James Spence, Esq. Decr. 12. 1823.
© For the Editor of the "North
India Stock, American Review"
from the Author A. India.

LETTER

TO

SIR CHARLES FORBES, BART. M.P.

ON THE

SUPPRESSION

OF

PUBLIC DISCUSSION IN INDIA,

AND THE

BANISHMENT, WITHOUT TRIAL,

OF

TWO BRITISH EDITORS

FROM

THAT COUNTRY

BY THE

ACTING GOVERNOR-GENERAL, MR. ADAM.

BY A

PROPRIETOR OF INDIA-STOCK.

5' LONDON:

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MERCHANT, PRINTER, INGRAM-COURT, LONDON.

A LETTER,

&c. &c.

SIR,

I ADDRESS this letter to you because you are said to have declared publicly, in the House of Commons and the India-House, that if any man would satisfy you that freedom of discussion in India would be beneficial TO THE NATIVES, you would assist in establishing that freedom by all the means in your power. In saying this, you put the question on its true and just footing, for the natives compose the infinite mass and majority of the governed in that country; but they are too commonly left out of view by the English debaters of the Press-question, who seem to treat it chiefly with reference to its bearings on commercial and political parties, or on family connexions, and matters of patronage.

It is the object of the following pages to con-

vince you that the good of the Natives, including, of course, the mixed races, cannot possibly be ensured under the East-India Company's distant and doubly-delegated rule, without establishing among them a *local* check, by public scrutiny through the Press. If I should succeed in convincing you, you are too honest and independent, I am told and I believe it, not to shrink from avowing that conviction, and redeeming, to the uttermost, your pledge in favour of a people and country to whom you are indebted for much of the consideration you justly enjoy, with men who are not the zealots of party, or bigots of any caste or complexion.

In the following examination of the question under discussion, regarding the Indian Press, it is proposed—

First.—To give a brief view of the past and present condition of the Press in the British territories in India, which are entrusted to the temporary management of the East-India Company.

Secondly.—To state the arguments that seem to bear on the general question of a Free Press in India.

SECTION I.

Historical Sketch of the Indian Press.

1. Before commencing on the historical sketch proposed, it seems expedient to prepare the way by shortly defining the nature and limits of the *restraints* usually considered applicable to the dissemination of opinions through the Press.

2. In every nation, each individual is free to *think* unrestrained. No human contrivance can reach or prevent the fullest freedom of thought.

3. Thought may be communicated by spoken or by written language; and this intercommunication of thought between man and man is susceptible of human restraint.

4. That restraint is more or less effectual, according as the intercommunication takes place between the greater or smaller numbers of thinkers, at the same moment.

5. It is difficult to restrain conversations between two persons, or prevent their corresponding by writings. But it is easy to restrain men

from addressing large assemblages, or from circulating multiplied copies of the same written address.

6. **Printing** is such a multiplication of copies. He who harangues a hundred men at once communicates his opinions one hundred times more rapidly than they could be spread from man to man. He who distributes one hundred copies of his opinions, enables one hundred men to harangue each his hundred ; therefore, intercommunication by the Press *may* be ten thousand times more rapidly effectual than ordinary communication between man and man ; and the copies being permanent in form, and exactly alike, may serve over and over again for successive assemblages of hearers.

7. The Press is, therefore, much more dangerous, if it be dangerous that men should intercommunicate thoughts, and much more beneficial, if intercommunication be beneficial, than any other mode of spreading opinions ; it is also more susceptible of restraint from those who have the wish and the power to restrain intercommunication, by reason of its machinery.

8. The restraint may be *direct*, that is, may be applied in the form of prohibition, total or partial, against free intercommunication of thought; or it may be *indirect*, in the form of subsequent threatened punishment, the fear of which shall deter and intimidate those who print.

9. Previous censure of writings proposed to be printed, and systems of revocable licensing, are both modifications of *direct* restraint in its partial form. No nation has ever practised a total and absolute direct restraint; for tyrannical rulers always encourage the Press while it only praises them, and spreads agreeable or scientific intelligence. No nation has altogether dispensed with *indirect* restraint. Even in the United States of America, it exists in the cases of individuals who have civil remedy for false and malicious injury through the Press, as through any other vehicle of wrong. In England, the *indirect* restraint prevails by law in a very strong degree.

10. In the East-India Company's dominions, up to April, 1823, no special legal enactment, touching the liberty of printing, existed. The power of making *laws* for India, generally, rests

with the British Legislature, and has no other limit than their discretion. The power of making local laws for the Company's territories, except within the cities of Calcutta, Madras, and Bombay, is vested in the governments of the three Presidencies above named. The power of making local or bye-laws for those three great cities is vested concurrently in the Governments and the King's Supreme Court of Judicature at each,—the former *proposing*, the latter *sanctioning*.

11. The local laws enacted by the Governments and King's Courts, *conjointly*, must not be repugnant to the laws of England, and may be appealed against by individuals, to the Privy Council, acting *judicially*, not ministerially. The laws enacted by the Governments *solely*, are *not* required to be consonant to English law, and may only be repealed by the Governments themselves, by the Court of Directors of the Company, or by the Board of Control.

12. Printing was first introduced into India by the English in their great cities; but the custom of circulating manuscript newspapers in multiplied copies is of considerable antiquity among

the Natives, the Mahomedans particularly : and these Ukhbars (as they are called) have always contained political rumours and intelligence, often mixed up with satirical and personal remarks.

13. The English Governments have never, until 1823, restrained printing in the provinces under their *separate* legislative jurisdiction. That it was, therefore, lawful to print without restraint up to that period, may be inferred from the very step of passing a law, in 1823, which constitutes into a crime, punishable by heavy fine and long imprisonment, the having or using any press, materials, &c. without special license; or any book, or printed paper, of which the circulation shall be prohibited by Government in their Gazette: such fines or imprisonment to be summarily inflicted by a single justice, (appointed, paid, and removable by Government,) who is also vested with power of domiciliary visitation, and of seizing all such books or implements of printing, simply on his own belief that such obnoxious articles are concealed on any man's premises. Such has been the law since April, 1823, in the

provinces of Bengal, without the ditch of Calcutta.

14. Within the metropolitan jurisdictions of the Supreme King's Courts, reside almost all the Europeans in India not in the service of the Company; most of the numerous mixed races of Anglo-Indians and Indo-Portuguese; most of the Armenians, Parsees, Chinese, and other Asiatic foreigners, together with a vast population of indigenous Mahomedans and Hindoos. No accurate census exists in India; but writers have supposed Calcutta, and its immediate suburbs, to contain 600,000 souls. Madras and Bombay, together with Calcutta, may perhaps reckon a million of inhabitants in all.

15. These cities and all their population, from the earliest charters of the Kings of England, have been governed by English criminal law alone; while the Mahomedan code has been the law of the provinces, excepting only where British-born subjects, or Native servants of the Company, are concerned; in which case, the King's Court at the metropolis had exclusive jurisdiction. Justice has always been administered in the name

of the King, in the Courts of Calcutta, Madras, and Bombay. In 1773, the Old King's Court of the Mayor and Aldermen of Calcutta being thought by Parliament not sufficiently powerful and venerable in the eyes of the Company's servants, a new and independent Court was created expressly to protect the subject against the notorious despotism of the Government, and abuses of power by its servants.

16. To this Court, the jurisdiction of which, at first pervading the entire dominions of the Company, was subsequently limited to Englishmen and public employers without, and to *all* men within the City of Calcutta, whether Native or English, the power was confided of a negative upon all legislative measures of the supreme Government. No regulation could have the force of law within Calcutta, until approved by the King's Court, as consonant to British law. In April, 1823, this Court (one judge only present) passed a law, proposed by the Government, prohibiting the printing or publication of any periodical work, without previous license, *revocable at pleasure*, under heavy pecuniary penalties, to be inflicted by

justices summarily; such justices being paid, appointed, and removeable by Government. From this local law, an appeal has been made to the King in Council, and various protests and reclamations were presented by Natives and Indo-Britons: all upon the ground that this licensing of the Press at will was repugnant to the principles of English law.

17. Until April, 1823, therefore, no *law* existed in Calcutta to restrain free printing: but an indirect method of influencing the Press did exist before, and was effectual so long as none but Europeans possessed skill and capital sufficient to conduct the business of printing.

18. This indirect method arose out of a power vested in the Company from the very beginning of its monopoly, and inherent in a strict monopoly, of preventing any British-born subject of England from resorting to or residing in India, but such as were in its employ, or had its license to remain there, as private merchants, sailors, planters, and the like. This power has been continued in every successive renewal of the Company's charter, and in the last, 1813, was put

in a particularly strong and distinct shape, although the *commercial* monopoly of the India Company was taken away, or so altered as to hold out a *free trade* to British subjects with the East, China alone excepted. The Government having the power of sending any British-born subject to England a prisoner, without reason assigned, it is evident this terrible engine, though created for purposes of monopoly, and continued for other purposes not avowed, might be used effectually to intimidate any individual within its scope from doing, or leaving undone, any thing whatsoever that might not be agreeable to authority.

19. On the first establishment of the Parliamentary-Government-General, and of an independent Council, and independent King's Court, in 1773, the Press in India was actually, as well as legally, free: that is, responsible only to the English libel law and a jury; but this freedom virtually ceased as the powers of the Court were curtailed and those of the Governor-General enlarged, while the privileges of the Council were at the same time cut down, and civil servants re-

sumed the exclusive right of filling seats at that board. In fact, from the epoch of Lord Cornwallis's administration, it may be said, British-born publishers have been intimidated from printing any thing unpleasant to persons in authority, or those protected by them, more or less effectually, according to their opinion of the irritability or mildness of the individual Governor who holds the undivided prerogative of transportation at pleasure; but, in 1798, Lord Wellesley made use of this same power, in a more sweeping form, to compel *white* printers, through fear of banishment, to submit to the previous censorship of a Government Secretary. Still there was no *law* to restrain the Press; and, in 1818, when Indo-British editors began to start up, they refused to submit to the censorship, which they were professionally advised was a thing unknown and repugnant to law.

20. Lord Hastings, on that occasion, abolished the censorship, and circulated anew certain rules prohibitory of topics unpleasing to authority, which had been established by Lord Wellesley to guide censors and editors in his day. These

prohibitory rules, however, were not *law*, not having been formally passed in the Supreme Court. They were, accordingly, in point of fact, never enforced, although the indirect power of fully enforcing them by intimidation on English editors still existed, and Lord Hastings publicly announced, in a speech to the assembled community, his intention and meaning that the intercommunication of thought by printing ought to be unrestrained for the sake of the governed, and should be so under his administration.

21. Mr. Adam, in 1823, succeeded temporarily to the Governor General's fearful prerogative, and found the influential press chiefly in the hands of Englishmen. Having all along disapproved of Lord Hastings's notion of unrestrained intercommunication by printing, he re-established the system of restraint by intimidation; and immediately, on his accession, transported one editor, Mr. Buckingham, without trial or further notice, under the powers given him by the act to withdraw at pleasure the license of any British-born man to remain in India.

22. The Press, in consequence, began to fall

into the hands of Indo-Britons and Natives, who were beyond the reach of any power except that of the King's Court, administering English law. But Mr. Adam prevailed on the single judge (Macnaghten) then remaining on that bench, to let him enact a regular *bye-law*, in point of form, which should put down all free printing by *direct* restraint, and should constrain Natives and Indo-Britons equally with Englishmen. This novel contrivance appears to have been readily agreed to by that single judge, and became law, as stated in part 20.

23. At Madras and Bombay, previous censorship, enforced upon British-born residents, by terror of summary banishment, has existed, in imitation of Lord Wellesley's system, since his day, and is still in force. But no law for licensing has yet been solicited by those governments of their supreme courts ; or if solicited, the King's judges have refused to lend themselves to such purposes, so that the Indo-British, or Native inhabitants, who cannot be got rid of in a summary way, are free to print without restraint, subject to the English law of libel only, and to a jury of English-born

men, whose individual votes in a verdict cannot be known so as to expose them to intimidation for acting conscientiously.

24. To understand thoroughly the state of the Calcutta press, after the censorship was removed and free discussion was publicly invited by Lord Hastings, it must be remembered that the power of summary transportation is *not* vested in the majority of the government, but personally in the Governor-General alone. The circular "*regulations*" to editors, substantially the same as Lord Wellesley's, were the work of the collective government—namely Governor-General and three councillors; but as these regulations were not in any respect *law*, they could only become operative to the extent that the Governor-General, individually, should choose to give them indirect penal effect, by backing them with his *personal* and special warrants for transporting such as should disregard the missive of the government.

25. When the Governor-General, therefore, openly challenged that scrutiny of the public press, which the Government had previously forbidden by its circular, the only means of giving

efficacy to the vague denunciations of that mis-sive being in *his* hands, the inference naturally followed, from this gloss of the Governor-General, that the regulations were not according to his taste, and should remain as a dead letter. In point of fact, they did so remain for several years, notwithstanding the unceasing exertions of the minority in council.

26. This then is the actual state of things with regard to the press in India. 1st. All intercommunication of thought by printing, or circulating of things printed, is prohibited by law, save under revocable license, within the Bengal provincial jurisdiction.—2. All periodical printing or circulating is prohibited by law, save under revocable license, within the jurisdiction of the King's Court at Calcutta.—3d. Printing in the Madras and Bombay provincial jurisdictions is not yet restrained by any known law.—4th. Within the cities of Madras and Bombay there is no legal restraint, and the King's Courts affect knowledge of none other than the libel laws of England. Nevertheless a previous censorship is enforced on British-born subjects only,

through the fear of summary banishment. But natives, foreigners of whatever country, Indo-Britons, are all, in short, except British-born subjects, free from other restraint than that of the English law: they are really as well as legally free.

27. The Indo-Briton and various classes of Native inhabitants of Calcutta complain, that the revocable License-Act deprives them of the most valuable of their privileges and *birth-rights*, secured by repeated royal and parliamentary charters, since the first settling of Fort William, and, therefore, inherited from the remote ancestors of existing generations. They maintain, that they cannot lawfully be deprived, through the machinations of an unconstitutional judge and arbitrary governor, of their privilege to be governed, in all things, by English law, and bye-laws strictly consonant thereunto. They affirm, that if any political or other expediency requires that the law be changed to their detriment, such change can only be judged of and determined by the British Legislature; before which they can safely plead, and be fully

heard in defence of liberties, immunities, and properties, without fear of offending or of being intimidated into silence and submission to arbitrary power. They expect that the King in Council will be advised, by his servants, to use his power in quashing an irregular or improper Indian bye-law, without putting the aggrieved to the charges and risk of a judicial appeal in so flagrant a case.

28. The unfortunate natives in the provinces of Bengal have no channels of judicial form through which to appeal against the more sweeping new law of prohibition and confiscation, to which their intercommunication of thought and opinions is subjected. They have no *right* to assemble or petition collectively, and individuals are afraid to offend power, unprotected as they are by any institutions, or even by any tribunals essentially independent of a Government which pays, appoints, and removes at pleasure. They try to hope that the Directors of the Company, or the Board of Control, who have the power in their hands, will annul a regulation that destroys their privilege of intercommunicating,

and bars all speedy and substantial improvement of their minds or condition.

29. The British-born inhabitants of Calcutta join in the protest of their non-British fellow-citizens against the licensing system, which deprives them, also, of their right, even more undoubted, to be governed by English law only. They further expect, in common with Englishmen at Madras and Bombay, that their *property* and persons will be protected, in future, by the abolition or narrowing of the arbitrary power of discretionary banishment; since without this, no real freedom or equal justice can be secured, however much the semblance of administering equal English laws may be kept up in vain forms. The same intimidation that silences a printer, or forces him to submit to censorial restraints not acknowledged by the laws of England, might be employed in any other injustice which those in power chose to enforce by this omnipotent means. Crimes might be shielded as easily as legal innocence punished. Men might be intimidated from prosecuting just but unwelcome claims, or resisting wrongs and

demands productive of collision with those in authority. The very institution itself of a supreme King's Court—they maintain—set up, though it be declaredly, to do equal justice between high and low, may be thus virtually defeated and nullified, or reduced to an expensive mockery, by a system of unavowed, but well understood intimidation, at the mere pleasure of an intemperate, or unwise ruler, with courage to incur local odium or reliance on powerful protection at home.

SECTION II.

Arguments bearing on the Question of the Indian Press.

The argument on the expediency of allowing free intercommunication of thought [see par. 3 and 4] among the inhabitants of British India, may be thus stated, setting out as a basis from certain points upon which all men profess to be agreed.

31. England has publicly declared, by the organ of her Parliament, in 1813, her resolution to forward the intellectual, moral, and religious improvement of India as a primary and bounden duty. From this national pledge few will be found to dissent avowedly, however much they may practically act in contravention of a praiseworthy sentiment that virtually binds the governing power to consider the good of the governed as its primary object.

32. The enemies of free intercommunication

either *do* or *do not* desire the good of the governed as the primary end of our Indian Government.

33. FIRST. If they *do not*, then they must consider some *other* good as primary, and that can only be the good of the governors; for every man who has attended to the science and history of government is aware that there can be no honest compromise of *goods*, no middle course between pursuing the separate good of the governing and that of the governed: one or other must be primary; the true benefit of the governors, in an enlarged sense, will surely follow the good of the governed; but not the converse: for no separate good can be wrought to the governors that is not at the expense of the governed. Hence it follows, that if the opponents of free intercommunication declare their primary desire to be the good of the governing power, they must hold that the English Company having conquered India, maintain it as a pure conquest; that the chief object of England is to extract all the profit or tribute in its power from that conquest; and only to do so much good to the

conquered as shall be prompted by the fear of losing or rendering less productive this profitable milch-cow.

34. If such sentiments be confessed, and they have been often hinted at second-hand, as an argument against the improvement of India—the avowal should at least be made openly, and the policy, which undeniably follows from the premised seeking of the good of the governors, defended. All Europe would then know, that what has so often been said of our Indian policy, by Napoleon and other foreign rivals, is unblushingly admitted and openly justified. There would be an end of canting about our Indian administration, our humanity, beneficent sway, love of civilization, pure religion, morals, &c. &c. &c. All these complacent self-attributions are wholly incompatible with the idea of our holding India as a profitable despotism; such gratulations only serve to betray great ignorance or greater hypocrisy.

35. **SECONDLY**, but few men will boldly avow this doctrine with its unavoidable sequences. If then, the opponents of free discussion in India

profess that they *do* desire the greatest good of the greatest number, then they are agreed with the friends of the Press, as to the object of our Indian domination, differing only as to the means of best attaining what is the sum and end of all good government; namely, the most perfect administration of cheap justice, and the lightest possible taxation, compatible with complete security to person and property from foreign or domestic danger.

36. Even as to the means of compassing this common object, both parties are *so far* of one mind as to agree that free public scrutiny and the control of public opinion (to be exercised *somewhere*) are legitimate and necessary means towards keeping the Indian Government, like every other, in the right path of duty. Even Mr. Adam fairly admits this, in a printed Indian appeal to his countrymen at home; and no one has yet denied that in the Indian Government, *as in all other politics*, there must be a constant struggle between the general interest and the particular interests of individuals and classes of the rulers.

37. But the two parties professing this same

end of good government, and agreeing as to the means of influencing its attainment, differ utterly as to the time when, and *place* where, this control of public opinion can be best exercised; one party would only have it exercised in England, the other (approving, likewise, of its employment in England) is of opinion that it can only be exercised with the greatest vigour and benefit on the spot where its effects are to operate, and near the time when the evils may be supposed to happen, which it is proposed to correct by this influence. One party would limit this avowedly desirable control to the authorities in the mother-country—the English Parliament—the English Press—in short, the Public in England; the other party would place reliance on those authorities also, but only as auxiliary to the best and *proximate* check of this description; namely, the public voice in India itself.

38. Whether this control be exercised in India, or in England, it is evident to all, that two essential conditions are implied in a right notion of such a check.—SAFETY and EFFICACY are those conditions. An efficient check attended with

danger—or one that, being safe, should be without efficiency, are equally unsuitable to the desired purpose of promoting the interests and happiness of the body of the governed.

39. By **SAFETY** is understood reasonable secureness of the general interests (in this case represented by the Government) against external violence and unjustifiable internal convulsion. By **EFFICACY**, of course, is meant the power of stimulating the Government to good, and deterring it from evil, to such a degree as may balance the natural proclivity of all men entrusted with authority to prefer particular before the general interests.

40. If the control of public opinion through the Press on our Indian government takes place in England only, such control will indeed be, in one sense, quite **SAFE**, precisely *because* it will be **INEFFICACIOUS**. This impotence arises, first, from remoteness of time; second, from remoteness of place; third, from the slender degree of interest which the British public takes in Indian affairs; fourth, from the inveterate *party* habits of English statesmen; fifth, from the peculiar cir-

cumstance that India is leased to an exclusive Company. The affairs of, and events occurring in, that country, do not, therefore, become generally known, *in course*, as heretofore, to individuals at home; especially since the annual budget has been discontinued, and party destinies no longer hang on India bills and the mockeries of impeachment; nor are Indian occurrences *necessarily* known in any detail to the Ministers or Parliament, except where special occasions arise to call forth party attention.

41. Any control, hampered with so many clogs and disadvantages, must be quite inefficacious for purposes of general usefulness, and therefore no doubt SAFE enough in one sense, and in the direct ratio of its impotence; but how long will this SAFETY continue? Only a limited time; and for this reason; that if the supposed control (exercised only in England) be, for the five reasons here assigned, inefficient to correct the evil tendencies admitted to exist, [par. 36,] then it follows that the Government in India will go on acting precisely as if no such popular check or

corrective at all existed. The tendency to misrule, common to every human Government, will be aggravated by distance and feebleness of responsibility; our Indian system of governing will not ameliorate. Surplus revenue, beyond all the wants and expenses of the State, will continue to be exacted, till the country becomes more and more prostrate, and every day less able to take English products, because less able to give any in exchange. Justice will be taxed higher and higher, and become less accessible, and dearer, too, inversely with the means of paying; old monopolies of necessities and luxuries will extend and become daily more rigorous and penal, as in proportion poverty and temptation to violate become more powerful; new monopolies and extortions, in different shapes, will be devised; confiscations and sales will multiply, until property shall almost completely shift hands, and the old extruded landholders, poor and ignorant, but proud and influential, inflamed with rage against their official despoilers, are ready to head the general revolt, which must, *sooner or later*, follow this national

course and progress of misrule in a dependency, the administration of which is relieved from apprehension of vigilant and hourly scrutiny.

42. This picture is not imaginary : such a course and progress of internal misrule, followed by such revolt, did occur in a province at no great distance from the seat of Government, only a very few years ago : and although it cost so much blood and treasure, at a most critical period of general war, to subdue the rebellion which was not *thoroughly* got under for years, the story has scarcely ever transpired to the notice of that English public, in which some profess to see a fit and sufficient organ for controlling and guiding the Indian governments ! How such remarkable events as this, and other recent affairs of a like nature, came to be kept from public notice, from the newspapers, from Parliament, even from the Court of Proprietors, does indeed seem a mystery. Such, however, is the fact, and it speaks volumes as to the utter inefficacy of the English Press and English public, (unaided by those on the spot,) as checks on men or measures in India.

The censorship was then in full vigour, and this very Mr. ADAM was the censor.

43. Experience, however, was not needed to prove this utter worthlessness of such checks; that was sufficiently evident, *a priori*. (See par. 40.) But some who disapprove of public discussion in India, whether from dislike or fear, and who also admit the proved inadequacy of the English public press, will nevertheless say that the check exercised by the East-India Company and Board of Control would still continue to be sufficient, *as it has been heretofore*, for watching and checking misrule abroad, without the aid of *any* public or press, here or there. This merits examination.

44. As to the Board of Control, its share in the expected operations of watching and checking may be speedily discussed and easily measured. Whatever may have been the wishes of the political parents of that Board, it is notorious, and scarcely denied in Parliament, that the only Member of the Board, permitted to work at all, is the Cabinet Minister at its head. But it is not less notorious that the Presidentship

is looked on as one of the lowest in rank and consequence of the ministerial ladder, and as a mere stepping stone to a higher position in the Cabinet, or not unfrequently to the place of Governor-General, that very functionary, whom, by our hypothesis (par. 43), the President of the Board is supposed to watch so vigilantly, and to curb in his undue tendencies to stretch authority! At all events, the Presidentship is deemed a second-rate and temporary office. . . He who obtains it, applies himself unwillingly or not at all, to acquire knowledge and discharge duties of a strange, new, and painful sort; he languishes to escape from the office by translation to some other; if abroad, more lucrative and influential; if at home, more congenial and elevated. In the weary interim he virtually resigns his important functions (save only in the *vital* concerns of patronage) into the hands of some officious and shrewd leading member of those whom it should be his proper and jealous office to control. Is this an exaggerated delineation? Is it little warranted by the experience of twenty-three years since LORD MELVILLE resigned the President-

ship? How then should such an Indian Zero, as a President, with all his attendant cyphers, ever acquire political integrity sufficient to qualify him for figuring as representative substitute for free public discussion in overawing Indian misrule?

Ex nihilo nil.

45. But are the East India Company able and willing to discharge efficiently this great duty, in substitution for the public press in England or India, or both? Who are to undertake the office? The Proprietors or the Directors? Not the former; for they cannot practically stir a step, they cannot know any thing; or see any paper, if the Directors choose to keep them in the dark, and—by juggling with the governments abroad, the committees of secrecy and correspondence, and the Board of Control—to baffle their inquiries, or lay their jealousy asleep. Neither can it be justly said, that the Proprietors, generally, are very well fitted; whether from previous habits and actual pursuits, from the constitution of their body, or the nature of their prescribed forms—for meddling often, or with effect, in the details of administrative business abroad. Thus, then, we

have only the Court of Directors, or rather its efficient Council of Nine, and more efficient Council of Three, left us to represent the Company, and to perform the part of a jealous, vigilant, and disinterested Public, eager to detect and make known delinquency—directing public and general scrutiny to every abuse in a system, or fault in those who administer it,—having no interest in public exactions—deeply penetrated with sympathy for the poor, distant, and unrepresented native Indian, when suffering under the pillage of extortion, or the hard gripe of fiscal and monopolizing rapacity;—in fine, free from all fellow-feeling or undue bias towards servants abroad, whether arising from *esprit du corps*, the love we all bear to our own creations, or reluctance, as the coarse Napoleon expressed it, to let our neighbours see us wash our dirty linen! Alas! for India; if she have no more zealous and effective guardians than such substitutes for public opinion,—*quis custodiet ipsos custodes?* The Court of Directors have essentially and naturally an interest distinct from that of their unfortunate subjects,—a particular interest, counter

to the general interest. It is not their *fault*, but their *fate*. They cannot sincerely seek the greatest good of the greatest number, if they would. They are urged on by an incessant craving for "surplus revenue,"—for taking without giving in return; and the financial annals of India, for some years back, show how perseveringly such a ruinous system may be acted on for a time. What its *end* will be time must show.

46. But if there were no other reasons that effectually and, *à priori*, prove the Court of Directors to be peculiarly disqualified from acting alone and unchecked in that task of controlling their governments abroad, which some men would assign to a Free Press, one reason, sufficient in itself, remains to be noticed; it is their hostility, as a body, to the existence of an unshackled Press in India. If they had no interests to follow out, distinct on the one hand from the general interest of the Proprietors, on the other hand from that of their subjects in India, how could it possibly have happened that so unheard of an unanimity should have taken place among thirty or forty gentlemen, (OUTS and INS,

during several years,) who are apt enough to split into parties on all other questions? In this case of the Press, it is said, they have all been of one mind for the first time on record! But the Proprietors are not so unanimous on the question; and it might be supposed the Directors were a faithful extract enough from the constituent body,—a tolerably exact image and representative of the shades of opinion prevailing in the “Lower House!” Not so. On this single question of the Press, all differences appear to be sacrificed at the approach of danger snuffed from afar, and all come forward, like so many life-and-fortune addressers in other epidemic times, to devote themselves to the sacred duty of keeping down, if even for a time only, the monster Free Discussion,—of stifling, while yet in his cradle, the infant Hercules, who is prophesied to go forth at maturity purging the world of beasts of prey in every shape!

: 47. Whence, then, arises this sort of instinctive and universal feeling among all Directors, past and present? If their interest coincided with the

general interest, they would naturally desire to obtain all the information they could, from every available source, as to the proceedings of all their Masters' (the Proprietors) servants abroad, high and low. The Press of India would certainly seem, at first sight, to have a claim naturally to the particular favour of the Directors; and one would have expected to see them supporting it with almost intemperate zeal *against* the very natural efforts of the servants of every class abroad, to put down an obnoxious tell-tale. The unanimity against the Press, of which the Directors boast, does seem, to the eye of unprejudiced reason, the very reverse of a *merit*, at least, as far as the Proprietors and English nation are concerned, and is altogether a circumstance so suspicious, as at least to bar their claim to be thought competent to watch over Indian government, *unwatched themselves* by a jealous Public here and in India. It must not be forgotten, that if a Free Press had existed in India, the revolts in Cuttack, Rohilkund, Bundelkund, and elsewhere, could not have happened so completely without

the knowledge of Government in India, nor could the Proprietors and Public of England have been kept in ignorance of them to this day.

48. But even if the unchecked tendency to misrule should *not* produce among the Natives the dangerous effects here supposed, or if the danger shall appear so distant as not to be an object of dread with those small-minded persons who live only for their own times, another *alternative* subject of uneasiness presents itself in the half-European population, who are not likely to submit much longer to be kept down in a state of political Helotism. Experience has abundantly shown the convulsions to which European dependencies are every where subject, from the just pretensions of this race, and the arrogant claims of the whites to the privileges of a superior order of beings.

49. But it is proverbial that governments never profit by the lessons of history, and experience has taught no wisdom in this matter: the Indo-Britons are multiplying to a degree unknown to indolence in a country where no accurate census of any considerable portion of the population

exists. They are rising in talent, education, and wealth; yet they all labour under a greater or less degree of tacit social and moral proscription. The males, at least, are scarcely associated with by the proud European; are hunted out of all high and honourable public employment by the Directors at home; denied important civil rights by the Judges abroad; shut out, by Government in India, from beneficial and coveted stations in the judicial and other administrative branches of the public service; yet often treated as Natives where that distinction is felt as invidious; in fine, these men have been lately defrauded, through a political collusion of the protector with the oppressor of their BIRTH-RIGHT of free printing; heretofore the only counterbalancing privilege in their favour against the otherwise overwhelming superiority of their white fellow-citizens.

50. From the evils to be apprehended, sooner or later, if unchecked misrule be allowed to bear down the natives, or half-castes, the *English* Press alone affords no real safeguard; nor is it easy to see how that engine is to be brought to bear on Indian misgovernment, for want of

information as to passing events and measures of authorities abroad. The whole frame of our governments in India seems contrived as if their subjects abroad, and fellow-citizens at home, were intended to have no knowledge whatever of any thing that is going on, save when the Councils choose to speak their oracles in proclamations and general orders. Their despatches to their superiors at home *may* abound in garblings and glossings, suppressions and misrepresentations : no one can contradict them in England, for no one can know what is true and what is not, if the liberty to those on the spot to speak freely be taken away. But even those despatches, such as they are, the Directors habitually keep to themselves, and communicate them to the British public on rare occasions, and in a cooked-up state. The English Press, therefore, unassisted by a Press abroad, to collect facts and opinions, is utterly worthless for any primary purposes of giving publicity to Indian affairs.

51. In this INEFFICIENCY those only will imagine they see SAFETY who delude themselves into the belief that all must be well within when

all looks smooth without, and that it is less dangerous to govern the Natives badly than to let them suppose any one thinks they might be governed better. *That SAFETY is only immediate, not durable.* To ensure PERMANENT SAFETY the very reverse of the favourite hood-winking policy must be followed up in the present advanced and *progressing* condition of society in British India : namely, a system of internal rule, that is honest, fearless, open as light, "having nothing to conceal."—No people so governed ever yet revolted, for no people ever yet rose, as one man, against their rulers without good cause.

A PROPRIETOR OF INDIA STOCK.

MARCHANT, PRINTER, INGRAM-COURT, FENCHURCH-STREET.

India. *For the Editor of the*
"North American Review"
from the Author ²
A

SECOND LETTER

TO

SIR CHARLES FORBES, BART. M.P.

ON THE

SUPPRESSION

OF

PUBLIC DISCUSSION IN INDIA,

AND THE

BANISHMENT, WITHOUT TRIAL,

OF

TWO BRITISH EDITORS

FROM

THAT COUNTRY

BY THE

ACTING GOVERNOR-GENERAL, MR. ADAM.

BY A

PROPRIETOR OF INDIA-STOCK.

LONDON:

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MARCHANT, PRINTER, INGRAM-COURT, LONDON.

A

SECOND LETTER,

&c. &c.

SIR,

As I perceive by the papers that the subject of the Press in India is to undergo another discussion at the India-House at an early day, I am desirous of following up, without loss of time, the observations I had the honour to address to you in my former letter, by making the application of the arguments therein stated, and offering some illustrations on the great value of a Free Press, as it regards the good government and happiness of the natives of India.

SECTION III.

*Safety of the Press in India, as it regards the
Permanence of our Empire.*

53. The conclusion being obtained that the exercise of scrutiny and indirect control over the Indian governments by the press and public of England *only* would be without EFFICACY, although *SAFE for a time*, till misrule should ripen, and the proscribed races feel their growing strength,—let us proceed to inquire whether free discussion through the Press IN INDIA would be SAFE and EFFICACIOUS for the desired purpose of influencing the government to pursue good and avoid evil.

54. The ablest philosophers, and best writers on legislation and historical politics, are agreed that there is never any strong tendency among the governed of mankind to rise against their governors; but, on the contrary, a disposition to bear misrule long beyond the point when resistance to oppression would be justifiable in the eyes of God and man, at least, of all men, *except those concerned in the oppressions resisted*. Revolt

is hazardous in its issue,—destructive to person and property during its progress, even should it succeed, but still more should it not,—it is further aggravative of the evils resisted if it fail. Men will bear very much before they become all of one mind to “rise and be doing;” and it is only when they are almost all of one way of thinking that rebellion has any tolerable chance of success against the fearful odds of disciplined and organized authority. No presses, no harangues, no examples will be of the smallest power in persuading poor and peaceful peasants that they are ill used, if they do not really feel the scourge of oppression at their backs: if they *do* feel it to be beyond endurance, no one is needed to tell them so. Writers and haranguers against abuses starve or thrive in proportion only as rulers furnish them with texts. If the good considerably preponderates over the bad in any government, there cannot be unfeigned apprehension of revolt, (see par. 42). The public, I repeat, *never* rise in general resistance without good cause.

55. But there are those who sincerely think, and those who affect to think, (from whatsoever motives,) that some special exception exists, in

respect to India, to these great truths, collected by wisdom from the lessons of history, and admitted to the rank of political axioms, on the subject of revolt, long before the days of Montesquieu. The first of the above classes of thinkers deserves every patience and attention, for it consists of men sincere and worth converting; but, unhappily, none are so hard to be persuaded by reason as those who are under the dominion of fear.

56. It is truly of the utmost consequence to the cause of civilization, of sound religion, and of humanity, that the thinking and sincere portion of the English public should be undeceived in this fatal idea, imbibed by many, because so sedulously and earnestly inculcated, that there is a disposition in India to revolt, an aptness in the Indians to throw off our "foreign yoke," as it is vulgarly called, which proneness does not depend, as every where else it does, on the goodness or badness of the system of government, but on causes altogether extrinsic to any notion of merit or demerit on the part of those who rule over our Indian fellow-subjects. If this position were true, it would, indeed, be fatal to

the happiness and melioration of more than sixty millions of human beings, for it would afford the tyrant's ever-ready plea, *necessity*, in one of its most plausible shapes, as a prompt defence of every positive act of violent misrule, and every negation of improvement. If the people of India are not to be acted on by means of those ordinary feelings, or of those balancings of motives and chances, that actuate other men, in determining the great *home-questions* of resistance or submission, they must be scarcely better than brute animals, and it signifies but little, indeed, who is the driver of such cattle, or by what method they are kept to work and food.

57. But, happily for an unfortunate and undefended people, there is no truth in the position,—not even the shadow of truth. It is incumbent, in the first place, on those who take that distorted view of our Indian subjects to burden themselves with the proof of a position so unnatural and contrary to all experience. But let us sift this matter somewhat closer.

58. Who are "*the people*" of India that are so prone to learn, as the first result of their lessons from us, that they are bound, by their own interest

and duty, to throw off a foreign yoke? The Indo-Britons?—their hour is not yet come! The other insulated small bodies of Portuguese, Parsees, Armenians, and so forth?—they are not as a drop in the sea of our Indian population. The Mahomedans?—they are no pupils of ours: they have “learnt nothing,” if they have “forgotten nothing,” in the course of the eventful revolution that has cast them down for ever in the extreme East, and stripped them of the conquests of seven centuries. Doubtless, the dreaming and arrogant remnant of their Hidalgo chiefs (if any such remnant there be under a politico-religious system, that is essentially hostile every where to the establishment of an aristocracy, or the perpetuation of great families) would gladly recover, if they could, so bright a gem as India in the trophies of Islam. But have they needed us, and our presses, and instructions, to teach them this? Have they profited aught, or is it in the genius of their *sept* to profit, by enlightenment so readily? Admitting, then, that *their* desire to throw off our “foreign yoke” be as strong as the *advocate* for darkness and retrogradation assures us it is among all the Indian people, gene-

rally, does it follow that their *hopes* are as lively as their desires? or that they are not tolerably capable of calculating their chances of success in a struggle against the united mental superiority of the English and physical outnumbering of the Hindoos? With such a tremendous struggle before them, and against such fearful odds, will they not weigh well the inducements to remain tranquil? and will they reckon for nothing in the balance of inducements and motives, that the English, who thrust their Indian Colossus off its *political* base, have not trampled in pieces the scattered members, but, besides conferring on all ranks equal rights of property and person with other subjects of the state, have preserved to their middling and better classes the monopoly of office in their criminal law, and a full proportion of public employment, and promotion in the army of the conquerors?

59. But the Hindoos, the infinite majority of the population,—will the first-fruits of their eating of our tree of knowledge lead them to discover that it is their duty and their interest to rise against their instructors, and throw off a “foreign

yoke ?" So far from it, that they only learn, from intercourse with us, their own nakedness, and cling the closer to a protection which, whatever lesser evils it may involve, and however defective in comparison with what it might be, and should have been, at this time of day, is still for the Hindoos a substantial benefit, when placed by the side of any one in the infinite series of foreign dominations, to which the Hindoo nations, or tribes, appear to have been successively subjected, almost from the days of ALEXANDER of Macedon.

60. The body of the Hindoos are likely to quarrel with us, when the sheep shall disclaim connexion with the protecting shepherd's dog in presence of the wolf! We are their natural allies against their old enemies the Mussulmans, who have not abated one jot of their pretensions to recover their empire, if any turn of the cards should chance to put an end to the English supremacy, and leave the field free to Mahomedan energy and unity of effort. In such a strife the Hindoos, excepting, perhaps, a very few of the ruder warlike septs, thinly scattered in the north and west, would have no chance. A long course

of passive submission to successive conquerors, and the debilitating influence of a superstition, at once the most barbarous and abject the world ever saw, have politically, if not physically, enervated almost all the Hindoo nations: to the influence, indeed, of their contemptible system of a religion without morality, resting its monstrous fabric mainly on the division into castes, may be ascribed, without much hesitation, the remarkable circumstance, that they have been unceasingly a prey to less civilized nations. This fatal authority of their priests, and all the destructive divisions of castes, still prevail in unshaken strength; and it may be doubted, notwithstanding the strange rise and fall of a solitary Hindoo power (the Mahrattas), within little more than a century, whether any Hindoo kingdom could possibly stand, in the present day, against the superior energy of the Mussulmans, who are all as one nation and one faith, while the Hindoos are split into innumerable sections of tribe, caste, and country, united by no common bond. In the extravagant case of a successful revolt of the Hindoos being supposed to clear the field of the

English, there is no doubt that a Mahomedan power would rise on their ruins; and, however distracted by civil wars and successive contests, still the crescent, backed by shoals of needy recruits from the northern and western bives of Islam, would keep its hold, till some second invasion should take place from sea, under extraordinary circumstances of desperate courage, talent, and good fortune, such as distinguished our early efforts in India, and once more push the faithful from their stools.

61. The more intelligent and cultivated of the Hindoos are perfectly aware of the common interest subsisting between them and us; they feel and admit that their Mogul conquerors have been the only real losers in the tremendous revolution which we have effected in India, within the last seventy or eighty years. Our toleration has won over to us the priesthood, habituated to Mahomedan brutality: our good faith with the army, (eleven-twelfths of whom are Hindoos,) in regard to pay, clothing, pensioning, promotion, and distribution of justice by the verdict of themselves, has ensured us the strenuous attachment of the

warlike classes of the north. The banker and merchant classes enjoy comparative immunity from irregular pillage, unknown in the days of our Mahomedan predecessors ; and if the condition of the ryots and manufacturers is, unfortunately, in *statu quo* nearly, because we have too exactly followed our predecessors' track, things are, at least, no worse than they were.

62. It has been remarked, that, exactly in proportion as a Hindoo, by dint of the knowledge and independence of thought which we teach him, begins to purge the film from his eyes, so does he see in a stronger light the *comparative* merits of the English rule, without being blind to its grave defects ;—so does he descry and admit that our cause is his cause, and that the only hope of political regeneration, and of religious emancipation to his people, rests upon their connexion with the English. This prospect he allows to be *infinitely* remote, owing to the exceeding prostration of the Hindoo mind ; but still it is looked to, in the fullness of time, even if not anticipated by the approximation, or even amalgamation of the races, in the course of that

Colonization and intermixture which must, sooner or later, take place, in spite of all endeavours to prevent them.

63. Let it not be supposed that these speculations are unreal, and of European fabric. Those who have seen the writings and correspondence of that patriotic and learned Brahmin, RAM-MOHUN-ROY, the real apostle of Christianity among the Hindoos, are well aware that the sentiments and opinions here described are those held and zealously inculcated by that excellent person, and his small but increasing school of European-minded Hindoos. The British Government has no such true friends among its Native subjects, for it has none besides, that are Native, attached to it from reason and deep reflection. Painful it is to think that such men should have been obliged to protest in the Supreme Court of Calcutta, and before the whole world, against the gagging and licensing system, by which Governor Adam and Judge Macnaghten have deprived them of their Presses, of a birth-right which they had used for the noblest, and purest, and most peaceable purposes! Painful to think

that RAM-MOHUN-ROY, who had descended to edit a Native periodical paper, with a view to contribute his great influence in that mode to enlighten his benighted fellows, should have found himself obliged *publicly* to abdicate so honourable an employment, environed as it became, under the new restrictions, with difficulty, degradation, and suspicion.

64. It is hoped that enough has been said to show that the general disposition to throw off "a foreign yoke," of which so much has been said, even to nausea, by superficial and timid men, is not only unlikely to *increase* with the progress of political improvement and instruction, but also not likely to have any existence at all, unless we drive men to such recourse, by perseverance in misrule, and by refusing to let our own eyes and ears be open to the evil of our ways. No chimaera that ever haunted the imaginations of the weak and ignorant was more devoid of reality than this absurd idea of proneness to rebel in India; it might have been left to be dissipated by time and returning reason, were it not unhappily a mischievous as well as stupid phantasy, afford-

ing pretext for bringing into play restrictions, tests, penalties, expurgatory indexes, and all the wicked and contemptible machinery of persecution for opinions' sake, which was thought to be pretty well exploded every where, but is now again revived almost simultaneously by the Pope, the beloved King of Spain, and Governor Adam. Each of these individuals, no doubt, conscientiously plumes himself on the validity of his special reasons for playing such fantastic tricks in his own particular dominions, and each by his friends is, of course, considered the best intentioned of rulers, and kindest of men; as if the possession of power had no tendency to transform and corrupt! as if the private virtues of public men might safely for mankind be admitted in qualification or extenuation of their public measures! as if, indeed, the personal good qualities of an arbitrary ruler were not a positive enhancement of the evils he inflicts, by blinding many to the true quality of his acts, and disposing them to greater forbearance! Yet of such puling stuff is the invariable defence compounded of every public man whose measures are at-

tacked, and whose ready host of friends and connexions instantly start up with a plea of character.

65. If we desire to retain India for England, from a conviction that in the present state of that country we do thereby really seek the greatest good of the greatest number in both countries, our policy is plain and simple. Honesty is that policy; and all suppressions of opinion, puttings down of intercommunication of thought among the governed, forbidding of books, gagging of the press, and ruining, fining, banishing, or imprisoning individuals who speak out and are our *truest* friends; all such pernicious vagaries of wanton power should be put an end to as soon as may be. This done, there will be no real cause for apprehending any thing like a general discontent or revolt; but even if there is such a tendency, the friends of free discussion and good government triumphantly ask of the reasonable and reflecting among their countrymen, whether is it *most* likely to have been created by the fomentings of a press, or by real and grievous misrule, considering how passive and long-suffering a people the Hindoos

have always shown themselves to be? Or if such disposition to rebel exists, will expurgatory indexes or muzzles on the press keep men from thinking and conversing? Will they hinder the secret ferment from working and heaving? The opponents of publicity would do well to avoid sounding too loudly this alarm of danger from likelihood of revolt, lest the English public should indignantly demand, of what nature their administration must be in that country, since more than sixty years' undisturbed possession of the greater and richer part have not yet secured for them the affections of the governed beyond the reach of disturbance from "paper shot!"

66. The question how far indirect control over public measures by the Press would be *SAFE* if exercised *in India*, may be considered as set at rest in so far as concerns any danger of general revolt arising therefrom, or any *special* disposition to resistance in that country. There *is*, however, a danger of particular and provincial revolts to which our Government in India is greatly liable—not because there is too much license; but too little!—not because there is too much

freedom of discussion, but because there is none!—not because there are too many residents in India, independent of the Company “factious,” “interested” “would-be-reformists,” &c. &c. but because there are too few!

67. Assume, if only for argument's sake, that an impolitic impost is laid on, which bears particularly hard upon this town or that city—on a cloth, sugar, or silk district—on an opium, or salt province; or let us assume, what may be equally improbable, that a European chief functionary of justice, revenue, police, commerce, opium, salt, or the like, oppresses a distant province, whether from bad temper, from *positive* corruption, or from *negative* malversation in not preventing his swarms of officers and defendants from fleecing the helpless natives. In any of these cases, the Government has no means of coming at the facts of wrong suffered or imagined, except through official channels. No one likes to report that this tax or that monopoly will excite discontent or resistance in *his* district, for such reporters are not looked on kindly by the counsellor or secretary who

patronized the tax. The spirit of discontent is not represented in strong enough colours. The Government remains in ignorance of the impending resistance until a positive revolt breaks out, being the only *constitutional* mode of resistance known from time immemorial in the East, whether before or since our time.

68. Then in regard to delinquencies of public officers, the Government in India is more overwhelmed with minute forms and tedious paper proceedings than any on earth. Give it *regular* knowledge through "regular channels" that any thing is going wrong, and such wrong, in most cases that are flagrant, and do not too nearly touch on matters of revenue, will be fairly inquired into, and probably redressed. But suppose the official channels are themselves shut or polluted? Suppose a less flagrant case—namely, that the provincial "channels," being utterly dependent for their very subsistence on the good pleasure of Government, should not show any great alacrity to bear bad news or disagreeable representations to the supreme authority? Suppose some governor-commander, or

counsellor, or even some secretary; should have happened to play the projector, and should view with parental fondness particular measures; and eye with coldness such as reported evil of his projects? Or, imagine cases of provincial malversation in a judge or collector, is the *oppressor* expected to be the ready organ of accusation against himself? Is the suffering party, a poor, ignorant, helpless Native, to put himself courageously forward in the breach, and to persevere in the unequal strife against power, riches, ingenuity, and prejudice, until he prevail in getting the Government to listen to him, and tumble his oppressor from his seat? Such expectations are truly preposterous, and it may be doubted if any one can be sincere, who professes to put faith in them, knowing the state of society in the East Indies.

69. Even in the Mahomedan days, it was the duty and the practice of the King in his capital; and of his deputies elsewhere, to sit "at his gate," and listen to the complaints of the meanest of his subjects. Doubtless, the duty was often neglected; and the practice as often reduced to

a vain form ; but the meaning was good, and the customs and tongues of every nation in the East show how deep-rooted and universal is the feeling that the wrongs of the subject were to be freely and publicly heard. What substitute has the English system provided for this and other rude customs of appeal? A series of official complaints, through ascending " channels," to be conducted under forms that utterly overwhelm the poor suppliant by their magnitude, their intricacy, expense of time and money, and more than doubtful issue.

70. One would think that for such a frame of government and state of society, the application of free discussion through the Press—anonymous (otherwise a mockery), but subject to severest penalties in case of falsehood—is the very one thing ; the desideratum for India ; that expedient which cannot fail to be of the clearest benefit both to governors and governed. Let us look at this more closely.

71. In India there are two grand divisions of inhabitants, connected in public relation, but mutually abhorrent of social connexion. One

of these is the dominating race; the few, certainly, but the able, the opulent, the powerful, *White*. The other is the subjected class; the ignorant, the poor, the weak, the *Black*. Of the dominating race, a more select few monopolize all power and place in the state, from seats in the Supreme Legislative and Executive Council, down to the lowest deputyship of revenue or police. These select few are educated in England by the Company, at a separate seminary, as if to keep them a distinct caste from other English gentlemen; they go to India as candidates for public employment, (of which their order has a rigorous monopoly,) they are there entirely dependant on the goodwill and favour of the Government; appointed and removed at pleasure; extremely well paid when in office, in the greatest poverty and want if out of employment. They compose, as it is evident they cannot but do—a potent aristocracy of place, the only body in India answering to an aristocracy of any kind, since, by the Mahomedan system, which we found in play, no power, no property, could stand up between the one king and the many

people; all of these were on a level, compared with him, and were kept down nearly to that condition, by the legal and illegal rapacity of their system.

72. The provinces of India are parcelled out into districts, or circles, that may be likened to large English counties; in each of these, many of which are from five hundred to a thousand miles from the seats of Government, one or two of these Company's European servants reside, to administer justice of the first instance, to superintend the police, to collect the revenue, and so forth; they are, in general, free from any of the restraints which the irksome vicinity of gentlemen, their equals in talent, wealth, and *complexion*, must necessarily impose on persons in power: they are, in truth, without any *moral* control, but their own consciences, for each chief stands alone in his proconsulate, erect amid thousands that lie prostrate. The *constitutional* controls and checks provided are, theoretically viewed, not inconsiderable, in respect of steps and gradations of appeal and complaint; but all labour under one common and radical defect—namely,

that all are exercised by the same class of men ; the same aristocracy of *place*, of *origin*, of *complexion*. The head of the Government and the chief of the Army are the only individuals in authority to whom this disqualification does not *always* apply : of these, one is not likely to engage actively in matters foreign to his habits, and particular sphere of duty, while the other, in general, occupies himself with the department of foreign policy, naturally leaving local and ministerial details to those of his colleagues, whom he presumes to be more experienced than himself, although, in reality, they are the worst fitted to sit in judgement on any part of a system, in the midst of which they have grown grey.

73. To this view of the state of society and frame of government in India, we may add, by way of finish to a very singular and original picture—*First*.—That the legislative and executive powers are both in the same hands—those of the Council, consisting only of four men, of whom two or three are from the civil service of the Company, and one almost always a military man fresh from England. *Secondly*.—That this Coun-

cil is in the habit of corresponding with the judges of its provincial courts on matters more or less connected with their judicial duties ; and employs them in commissions of inquiry, political offices, and other matters not strictly judicial, while the highest Company's Judge, in the country, is removable by the local Government, without cause assigned, or by the Court of Directors at pleasure. *Thirdly*.—That the Judges of the Supreme King's Court, ostensibly set up to protect the people against the Government, are not themselves protected against the effects of that Government's displeasure as they ought to be by being made irremovable by his Majesty's Ministers, at the instance of the Company's Government, or of the Company of the Board of Control, who are, practically, one and the same. *Fourthly*.—That, in all the Company's dominions, there is not an *institution* independent of the ruling power, nor any admitted right of petition, or of meeting to petition. No corporations—no colleges—no privileged orders—no constituted bodies—in short, of any description, who have the *right* of addressing the Government in the col-

lective form of “*we!*” The system of *centralization*, over which Bonaparte boasted, as completing the *beau ideal* of despotism, is thoroughly realized in India; where the shadow of political or municipal privilege is not to be found in any individual under the Government.

74. All this machinery is perfectly well understood among the parties concerned, actual and expectant holders of high office. Is it then very surprising, *First*.—That distant *Pro-Consuls* should occasionally fall into malversation and injustice themselves, or slide into indolent, if not corrupt, connivance in the crimes of their *locusts* of native dependents. *Secondly*.—That a fellow-feeling should prevail among the superior grades of the same order of men, if not to screen actual delinquency, at least to create as little public scandal as possible, for the reputation's sake of the Government itself; and still more for that of the order to which *all* in common belong. Parties interested may, and, doubtless, *will*, attempt to raise a cry of libel and calumny in this matter; but it will not be the less undeniably true, *First*.—That any men, or order of men, similarly cir-

cumstanced, are likely, in all human probability, to yield to similar temptations, and to err exactly as the present civil servants of the Company are supposed liable to err. *Secondly*.—That no imputation against all its individuals is necessarily contained in general remarks on viciously constituted public bodies ; there always have been and always will be great exceptions—greater, because of the difficulty to resist temptation—to ordinary cases and maxims. *Thirdly*.—That no body of men ought to be entrusted with vast powers, under circumstances that virtually take away, or infinitely enfeeble, responsibility.

75. But the Press seems to be expressly devised for coming into play in such a case as this of remote *lieutenants*, each clothed with almost unlimited happiness or misery, in respect to men under his sway, with whom he has few or no sympathies. If the Central Government wished it ever so much, if it were ever so free from bias towards its servants, and desire of giving the authorities at home an impression that all goes on well and smoothly abroad—it would not be in its power to exert an efficient and minute super-

intendance over those remote *lieutenancies*. Distance, intimidation, and fear of odium, too often hinder the truth from reaching the metropolis; and, if it *could* arrive there, its quantity and magnitude would exceed the powers of any *general* government to go into in detail. *But there is a method* by which distance may be made to vanish—a moral vicinage of talent and keenness be created, where none physically exists, to overawe idleness, injustice, favouritism, or speculation—by which the arm of Government may be nerved and elongated—its dim sight strengthened—its dull tympanum quickened. That method is the Press; and there is none other in the wit of man to devise, which shall effectually and for any length of time answer the desired purpose. It is for want of that engine which, when free, cannot be cajoled or silenced, that the Government, in India, is kept utterly in the dark on the very eve of those sudden and violent revolts of provinces, which every now and then arise from the oppressions of the “official channels,” and the absence of all modes of constitutionally opposing men in power. In no country might the

Press be *such* a powerful SAFETY-VALVE as in India. It is folly, or hypocrisy, to say that the denunciations of a free Press should not be *anonymous*; if its operations are *not* so far concealed it loses all its real utility, and becomes only another mode of preferring accusations under attestations which expose the oppressed man, who turns the accuser, to all the persecutions of the accused, or of his brethren; the very evil which, by hypothesis, the Press should be set up to remedy. Is it then to be inferred, that any one of the friends of publicity, and to anonymous discussion, (the only shape in which it can be truly free,) desire to free the Press from responsibility for falsehood or proved malice?—Far from it: but it is a favourite mode of arguing this subject—the motives sufficiently obvious—to beg that part of the question, to assume a Free Press to mean the printing of *any thing* without liability to punishment, however false, slanderous, or malicious; as if any offence against society ought to escape the visitation of law, because committed through one or another instrumentality, whether of Press, or speech, or action, &c. &c.

76. Few will deny that the Libel-law of England, as explained by modern Judges, is severe enough ; so much so, that it would extinguish all public writing whatever, but for the attempering given by our Juries, even our special ones. Fewer will deny that one of those statutes, which are usually called the Six Acts, (1819,) makes the old law still more severe, by inflicting banishment for a second offence. Yet this severe body of law would be received with thanks and rejoicings, as the Press-Code of India, because administered by a Jury, even a special one. In exchange for the late illegal violence of revocable licenses, and for the terrible Star-Chamber mode of arbitrary banishment by a Council of Government, but without the trial and defence allowed even in that abhorred tribunal, any code which ensured a public trial would be a blessing. Suppose the power of summary banishment for presumed state-offences, of great danger and urgency, were taken from the Government, and vested in a full bench of the King's Court under the same forms of public hearing, concurrence or rejection which are at present in use to pass a bye-law on

the proposition of Government? This would be virtually enabling the authorities in India to take out of the hands of a Jury, and vest in those of the Judges, all such *extreme cases* as both executive and judicial power should concur in considering of imminent hazard, to the welfare of the State. Such a change would be no small departure from constitutional principles, yet even this would be a blessing, compared with a state of law, or rather lawlessness, where the property and person of every Englishman are placed in the wanton, because irresponsible, hands of Government.

77. Fenced in by such powers as those of the English Libel-law, of 1819, and even (if it must be) with power of moving the King's Court to banish summarily, will not the Indian Government, the Civil Service, and the Company, consider themselves secure against the terrors of the Press? What can be the meaning of this extraordinary panic of terror? What the extent and nature of the evil apprehended through the Press, a word which means no more than free intercommunication of thought between man and man? It has been shown [par. 58 to 61] that in the divided state of

society, population and interests in India, all idea of *general* revolt, under reasonably good government, is out of the question. If then a Government were actuated solely by the adherence to the general interest of the greatest number, and not by any particular interests of individuals or classes in the State, it is rigidly demonstrable that it would naturally form the strictest alliance with the Press, as a firm and fast friend, as the most powerful auxiliary conceivable, in the common cause of promoting good government. It is, indeed, true, that, in the first instance, individual writers and printers set up in order to their own advantage, in like manner as men pursue any other avocation that benefits the public secondarily, themselves primarily; such being the order of nature and society, that, in the struggle of individuals, each for his particular profit, the general profit is best wrought out. Hence, if an editor should depart from truth, frequently and wilfully to appearance, or should seemingly give way to private hatred of himself or others, under colour of public good, or otherwise dissatisfy the society in which and by which he lives, it would

be a signal to others to invest capital and labour in rival publications: self-interest would keep each alive to the falsehoods and faults of the other, and the *general* interest and advantage could not but profit by the detection of error and the promulgation of truth.

78. But it is said it would not be SAFE to allow the subjects of a government to print matters "tending to bring it into hatred and contempt." To this may be *asked*, by way of reply, if the government justly deserves hatred and contempt, ought it not to suffer such treatment? If I am told it ought not, then it will follow that crime should be protected, not merely from punishment by positive infliction, but from punishment by loss of good name; it will follow that a false impression is to be given of such a government, which is thus to derive support in its misconduct from falsehood, instead of being forced to cease meriting "hatred and contempt," that it may by such reformation avoid reproach. Evil is to be done that good may come of it: end sanctifies means! But where is a government to stop—a Christian government planted among immoral Hindoos,

and talking largely of reforming them—where is it to stop if once it begins a career of falsehood and vice, as part of its ordinary ways and means? Did ever any government derive durable strength from such confusion of right and wrong, of truth and falsehood? You cannot hinder every individual from judging of the government as he thinks its acts deserve. You cannot hinder them all from *speaking* of it to one another; what then is gained by hindering the intercommunication of those evil opinions which, by supposition, (*vide supra*,) every body entertains? And in whose eyes is the gain obtained, of passing for what you are not? Not in the eyes of those who already think the evil, and know what you are; it must be in the eyes of others, foreigners, that you try to raise a false impression of respectability by keeping back the truth from being written. This, perhaps, is the real explanation of the extraordinary uneasiness testified on the subject of the Press. The Indian Government and the Company want to deceive England, America, and Europe, as to the true state of their dominions in the East. It is a remarkable fact that nothing offends a Press-cen-

sor, in all countries, more than any public allusion to his censorial erasures, and to the suppressions of truths and impressions of falsehood, which it is his occupation to create. This is, at least, a consolatory homage which political vice pays to virtue: the false impressions would fail in their effect, if readers were fully apprised of the arts of censorial cookery employed to produce effect. In the last years of Bengal Censorship, it was considered the height of contumacy—a “*lese Majesté*” of the deepest dye, if an unfortunate editor, at a loss for matter to fill the chasms suddenly caused by the censorial pen, studded the gap with eloquent stars. Such are the caprices of despotic power; its objects must not only bear with its inflictions, but pretend as if they felt them not!

78. But if the Government does *not* merit hatred and contempt, and knows that it does not, why should it wince, like the galled jade, under every severe thing that any one may say of it. No good government ever was brought into lasting “contempt or hatred,” unless it well deserved to be so; and a ruler, who is strong in conscious integrity, and in the knowledge that he

always pursues the greatest good of the greatest number, will smile at the puny efforts of malignity to misrepresent him, assured that the delusion cannot last. But why suppose that the Press would be likely to try to bring into hatred and contempt rulers who did not merit such obloquy? He who prints what is *not* according to the opinions and tastes of a large class of readers, will not be read, nor, in a country like India, where there are no struggles of parties as in England, to obtain the conduct of public affairs, and a monopoly of loaves and fishes, will he long pursue the expensive amusement of printing for gratification of private malice. He whose abusive strictures find continued encouragement and patronage from a considerable class, shows by that unquestionable proof, that his censures are not devoid of foundation. The former should be beneath the notice of a good government, the latter only so far worthy of notice as to draw attention to those evils of which the presence is indicated in the system, by the angry inflammation on the surface.

79. It is in vain, however, to argue on the

reasons assigned by the Indian Governments for wishing to stop every Press but their own paid one, and to suppress every thing like freedom of judgement or discussion on their measures. They will go on for ever assigning any reason but the true one for their unnatural hostility to that best friend which they and their masters at home can have. They know, too well, that there is no likelihood of any general revolt in India. They know that if there is danger of *partial* risings, in consequence of sheer despair and resistance to oppression, such insurrections have not a chance of ultimate success, while our general government is tolerably good; and, at all events, the Press has never had any thing to do with such revolts, not one of which has occurred since the Press was free. They know, besides, that not a score of Natives in all India are yet capable of reading, *to understand*, discussions in an English newspaper, and that the minds of a very inconsiderable number are yet matured to comprehend political discussion, even in the Native languages, fewer still being capable of translating such from English, and not a dozen,

perhaps, of writing original matter on such topics. They know, finally, that if a Native or European journalist were to blow the trumpet of sedition, and summon the Blacks to rise against the Whites, the European editor, if he escaped the lunatic asylum, would have very little chance of escaping from the furious hands of the Whites, who must form the jury to try him for treason or sedition,—about as little chance as one similarly situated in Jamaica would have from a jury of slave-drivers and planters. As to a *Native* editor, if in Calcutta, he must pass through the hands of a similar jury of Whites; if in the provinces, through the hands of a single White judge. All these pretended alarms for the “consequences” of a Press (subject to the English Libel-law) are miserable pretexts, the real object being to escape the shame of having faults and jobs exposed: they deceive nobody on the spot, however effective in Leadenhall-street and on the Stock Exchange. The Press has always been entirely free in our slave colonies, and the slave states of America: but who has ever yet been mad enough to employ it to rouse the

Blacks to a servile war? In like manner the Press was virtually and practically free in India for several years posterior to 1818. Yet no man ventures, agreeable as it would be to those in power, to point out *any* injury that it did to the country or its rulers. If a free Press had been likely to produce danger, that danger *must* have been greatest at first starting from a state of thralldom. Yet never was India in profounder tranquillity—never, certainly, better governed! never so progressive!

80. The secret cause of hostility to the Press arises, most probably, on the part of the Directors of the Company, from an extreme unwillingness to draw more public attention than they can avoid towards India. They are egregiously deceiving themselves, if it be so—in supposing that any such policy will avail them in the approaching day of their utmost need; when their present victories and triumphant votes will be remembered bitterly against the petitioners, who will then be humbly soliciting a renewal of lease, and showing cause (against the merchants, manufacturers, and ship-owners, of the

land) why they ought to have the confidence of the liberal and the pious continued to them. Times are greatly changed since 1813, when England had her hands too full to think much of the Company. There are *some* redeeming, and even constitutional points in the system of governing India through an organ of patronage not *directly* at the beck of the Minister of the day; and if the Directors wish to come before the public of England with a good case in 1833, they would do well to think of showing what they have done for the country entrusted to their management—what improvements, “intellectual, moral, and religious,” they have encouraged, rather than come forward to make a merit of having quenched utterly the spark of Free Discussion that had been kindled by the most liberal of their Governors, and of having bound the intercommunication of thought among their subjects in India with strieter chains than had ever before been devised.

81. The irritation on the part of the local governments against free discussion, through the Press, appears to arise from none of the motives

of alarm and so forth, which they have alleged through shame of confessing the littleness of the real motive. This seems neither more nor less than the love of undivided power—in other words, the preference of particular before the general interest common to all governments under the sun, and which should always be studiously counteracted in every good system of civil polity. It may almost be doubted if even the best earthly governments *heartily* love and cherish, perfectly, free discussion. In India, to these ordinary feelings and motives are superadded others peculiar to the situation of that government, to its long enjoyment of undisturbed absolute power, and to the nature and composition of the civil body. All these circumstances united produce, in the Indian authorities, a degree of arrogant conceit, of ludicrous bursting indignation, at the bare idea of any one not of the privileged order, or constituted authorities, presuming to have any opinion on public questions, or daring to obtrude it; to which Cervantes or Swift, perhaps, might have done justice. But the contiguous sublimity and burlesque are forgotten in the melancholy spectacle of free-born English-

men thus de-nationalized and de-moralized by long residence under a debasing system of arbitrary rule on one hand, and slavish submission on the other. Still more distressing is the recollection that, for a time, at least, and until this indignant country shall recall powers that have been so abused, these men have it in their power to do very much evil, and to defeat the national wishes and schemes for the intellectual improvement and civilization of millions.

SECTION IV.

Efficiency of the Press in India as a local Check against Misrule.

82. The positions being established,—*First*, That the exercise of scrutiny and indirect control through the Press in India is perfectly compatible with the SAFETY of our empire. *Secondly*, That such control is essential to the PERMANENT SAFETY of the country, however uncomfortable to rulers who desire not, *primarily*, the greatest good of the greatest number; it remains to prove

the EFFICIENCY of such a local check. On this part of the argument it is unnecessary to dilate,—*First*, because most of the considerations affecting the questions of EFFICACY have been touched on incidentally, in the proof of SAFETY, in which they are necessarily involved. *Secondly*, Because to the EFFICACY of a Local Press, the Governments abroad bear the strongest of all testimonies in their extreme alarm at the establishment of so unwelcome an intruder among the monopolists of office.

83. The favourite position put forth in all shapes and phrases by the enemies of free discussion, to catch unthinking people in England, is this—“ There is no Public in India—therefore, “ no public opinion—therefore, no use for an organ “ to express it—therefore, a free Press can do no “ good, and may do harm, &c.”—This is the language of Mr. Adam.—It may be doubted if a more contemptible sophism ever before disgraced the manifesto of any ruler, or trusted in the weakness of those to whom it was addressed. But the Press in India was first silenced, and dared not expose the sophistry; it was hoped, therefore, that any bold begging of the whole questions

at issue would suffice for people in England, when India was the subject.

84. "There is no Public in India," that is, no public capable of forming opinions worth attending to. No? Not even when they *praise* the political, military, financial, or judicial conduct of their rulers? Why, then, are they allowed to assemble and offer their incense? But we must examine this assertion a little more in detail.

85. *First, as to the public of India, generally.* It may suffice, perhaps, to ask who lent the State the forty millions sterling of which the Public Debt consisted but the other day? Unless it dropped from the clouds, perhaps, it may be conceded that they who lend such sums, in any state in all the world, would not be thought very unreasonable in pretending to have *some* political existence, not to say influence, in public affairs!

It may also be asked, without exceeding arrogance, who were they that formed a large European, Portuguese, Armenian, and Native militia, at the several Presidencies, in the times of Lord Wellesley, when danger was apprehended from French and Mysorean hostility? That militia, horse and foot, was indeed afterwards put down,

with many other obnoxious measures of the Noble Lord ; but because it is not, does it follow that it *was* not ? or that there was not then a Public, and is not now one, infinitely greater in numbers and in moral force ?

Finally, it may be demanded, and not without some claim to a grateful reply from the people of this country,—Did not the Indian Public, or *No-public*, of all classes and *colours*, come forward lately to subscribe between £30 and £40,000 to the relief of the distressed Irish ? Yet we are told they are as a negative quantity in the political arithmetic of the Honourable East-India Company and their honourable servants abroad !

It may suffice after this to enumerate a few institutions and employments in Bengal, in which Natives and Europeans are indiscriminately engaged, as Directors, Contributors, Managers, or Capitalists. Such are the Society with a large capital for clearing Saugor Island.

The Banks of Bengal, Hindostan, and the Commercial Company.

The Native Hospital.

The School-Book Society.

The Society for Native Education.

The Agricultural Society.

86. *Secondly, as to the non-existent Native public.* It is quite true that the Natives have not, and ought not, to have political weight according to their mere *numerical* strength; but it is not less true that those of them who reach to a certain degree in the scale of property, intelligence, education, and integrity, ought to carry with them the same weight which the like attributions would obtain for them in any other modern community.

87. This granted, it may suffice to notice that the Natives are creditors of the state to a vast amount, as RAM-MOHUN-RAY and his brethren assert in their unavailing Memorial, and Protest against the purposed Restrictions of Governor Adam and Judge Macnaghten, a document which will be admired in more unprejudiced times, as a masterpiece of reasoning and eloquence. The Natives are directly concerned in the various undertakings and societies mentioned (par. 85) under the head of the *general* public. Many of them, at the Presidencies particularly, are individuals of prodigious wealth, acquired in external commerce and interior traffic,—Hindoos,

Mussulmauns, Parsees, Portuguese, Armenian, and Indo-British, deeply concerned in shipping, ship-building, indigo planting, coffee planting, rum distilling, &c. &c. They have assembled and voted addresses of praise, pictures, statues, &c. to several of their Governors, and particularly to many retiring Judges of the Supreme Court, with whose distribution of justice they were satisfied. They lately voted addresses of praise to a Chief Judge of the Company's principal Court, on his leaving India, and again on his returning to fill a temporary seat in Council. On the death of Warren Hastings many of them joined the European community, who assembled to applaud that Governor-General's conduct, and subscribed for a public monument to his memory, censured though he had been by repeated resolutions of the Commons of England, and subjected to impeachment.

88. Is it not then the most contemptible of drivelling, to say, that such men as these are to be considered as political non-entities? Every day brings them, in some relation of their multifarious and busy occupation, into official contact with the King's Judges—the Company's Courts—the Ma-

gistracy—the Officers of Revenue; nay, in appeals, with His Majesty in Council, himself. Shall it then be boldly said by Englishmen, and to Englishmen, that men so situated have *not* a direct interest in the purity and efficiency of all those, and all other public establishments under the government?—that they have not a just and lawful right, under responsibility, to scrutinize the conduct of such judges and officers, and so by shame intimidate them into doing their duty, if they think it is not done well? We may, perhaps, for some time longer, terrify the less advanced, and more timorous Hindoos into submission to demands so extremely unreasonable as this; that they shall not meddle with the conduct of any of their superiors, however injurious to themselves. But how long can it be supposed that we shall be enabled to intimidate the HALF-CASTE population into such absurd acquiescence? Examples enough might be cited of the vanity of such human wishes, if examples were ever of any use to mother countries, urged on blindly to their fate. Our own America, St. Domingo, the Spanish and Portuguese colonies, all might be

quoted, but would be quoted in vain. Each nation in turn flatters itself *it* is in the right, and that there is something different in the particular relations of its remote dependencies than those of other nations that have gone before ! Every state having colonies forgets that the growth of new and prosperous dependencies, and the increase of Creole population, are not to be measured by the same *time-standard* that marks the improvements of older people, and increase of population in advanced periods of human society. British India is now moving on in its course with considerable rapidity, nor will the puny efforts of the Company, or its servants, be able to stop, or materially retard, a career which, on the other hand, is accelerated even now, and will become much more so, presently, by the *overdone condition* of universal England—the redundancy of capital—redundancy of population—redundancy of public burdens and public unredeemable debts. In a thriving colony, twenty or thirty years do as much work as a century in an old country. He that has been absent from India for thirty years is probably about as ill qualified to form an accurate

notion of its present political and statistical position, its administration, the habits of public men and of society, or the *feelings* of the various classes of inhabitants, as "THE SPECTATOR" would be, if he had to rise, and write, at this day, a "Hermit in London." If we apply this observation to our Indian system, it will not be difficult to find a clue to much of the strange matter that is put forth from time to time, about India. The remark that there is no Public in India, was felt—bitterly felt to be without foundation; but it was believed to be of a *sort* still current in Leadenhall-street.

89. *In the third place*, we come to the *European part of the non-existent Public of India*. It is composed, we are told, of soldiers, officers, King's and Company's, and of Civil servants, besides a scum of inferior persons engaged in the law, in trade, shipping, or handicrafts, only residing in India by sufferance (the badge it seems of all this tribe). It is asked, with a sort of triumph, silly enough, considering the unlooked-for answer that *may* be given—Whether a greater ab-

surdity can be imagined, then that of a government being controlled by its own servants, or those whose existence almost depends on its favour?

90. Now, in the first place, we might well deny much of the premises in this formidable looking argument; we might deny that a gentleman or nobleman, holding a commission in His Majesty's service, and stationed in this or that particular part of the King's dominions, forfeits the smallest tittle of his right to have and to deliver opinions (under responsibility) touching the conduct of the colonial government. If he can do this at home; if he can sit in Parliament, and oppose the King's domestic administration, can he not do so of a subordinate government? In like manner we deny that the liability to be tyrannically seized and transported, however it may intimidate, can be said to take away the legal *right* of a lawyer, a trader, nay of a Company's servant of any class, to judge, speak, or write as he thinks fit (under responsibility to law) of the local government.— But, waving all these important doubts, let us

grapple with the main position, that it is absurd to suppose a government "*controlled*" by its servants and dependents.

91. The sophism involved in this question lies altogether in the significant meaning artfully given to "CONTROL." If, indeed, by that were necessarily meant a PUBLIC and formal power, exercised by the servants of out-voting their master, or an authority vested in avowed dependents of OPENLY censuring or putting their *veto* on the acts of their benefactor, unquestionably this would be quite as absurd, as it is meant to be thought by those to whom it is thus adroitly put, in the hope that they will not detect the trick. But there is a wide difference, indeed, between DIRECT and INDIRECT control ; as between *power* and *influence* ; or between *force* and *persuasion*. The Press every where does undoubtedly CONTROL in one sense, because it influences the measures of Governments, either by shaming or convincing ; but does the Press—*can it* CONTROL the operations of Governments in the same sense that Parliaments or Courts control Executive Authority ? Yet in this unworthy confusion of

terms—this affecting to employ the same word used by an adversary, but employing it in a sense that was not, and could not possibly be meant, lies the entire force of this stupidly-triumphant question, and of the reasoning derived from it! So we are told with affectation of philosophical phraseology, that we should not apply the institutions of a highly civilized state to a less advanced state of society, as if there was question about FORCING the uncivilized to use the Press, to print, or write, or even read! or as if it were any good reason why those who are *sufficiently* advanced should not use the Press if they choose—that numbers of their countrymen are still unable to profit by or use it!

92. The very essence of a free Press in all countries consists in the liberty of *anonymous* writing in matters of opinion or reasoning, and also in statements of fact, subject always to rigorous *legal* responsibility for every thing that is published. Take away the privilege of writing anonymously, and things will be no better than under the favourite system of “*official channels*” of complaint, although, therefore, it would be

absurd to suppose a servant should *publicly* and avowedly arraign the measures of Government, or the (assumed) delinquency of a superior; yet so far from being preposterous or inexpedient that public servants should censure *anonymously* the measures or actions of any, whether above or below themselves, it is, in fact, a thing extremely to be desired, *first*, because the DIGNITY of *Government*, which might be thought compromised if it were arraigned by its own servants, is effectually saved by the anonymousness: *secondly*, because all it has to think of in this case is not who wrote? but what is written? *thirdly*, because none can be so fit and qualified to judge of public measures and public men as that very class who are solely employed in public affairs from their infancy, and who are eulogized in the strongest terms by Governor Adam (himself one of their number) for their capacity and distinguished qualities. But, at any rate, we should think the Directors at home ought to be very glad to get servants of so much experience and ability to write (anonymously) in the public prints, seeing that in no other conceivable way could the Directors so well

discover what *was* doing—what *was not* doing—and what *ought* to be doing by their stewards and servants abroad.

93. But if it is proved to be innocent and even expedient that the Company's civil servants should apply themselves to influence the acts of Government, and their fellow servants, through the Press, (provided always they do so under the decorous garb of anonymousness,) it is needless to go further and prove that the *servum pecus*,—the *canaille*, of Men of Traffic,—Law,—Handicraft, &c. may use the Press with still more propriety than the Company's own servants, (provided always they do it in a respectfully anonymous way, as in duty bound towards those who claim to be as the breath of their nostrils). Probably, however, communications of this inferior class will not be likely to prove very useful to a Government of such high pretensions to infallibility.

94. And is there then, no European "Public" in the great Presidential cities of India? It was not thought so of old, when they assembled in their Town Halls, or their Churches, built by subscription, to lend their weight in support of

measures or men favoured by the government.— There they petitioned the Crown, in despite of *Sir Elijah Impey* and his brethren; unsuccessfully petitioned indeed to have their Juries restored in civil suits; when they voted addresses and money to Warren Hastings, though under the ban of Parliament; when they subscribed to Loyalty loans and contributions in 1798; when they addressed the late King on Hatfield's attempting his life, and other occasions; when they complimented every possible Governor or Commander, in coming and going; formally approved Lord Wellesley's *political* plans, and Sir Arthur Wellesley's military conduct; when they formed themselves into Missionary Societies—Bible Societies—Tract Societies—Native Education Societies—School Book Societies—Agricultural, and Horticultural, and Literary Societies—Companies for clearing single Tracts—building Theatres, &c. &c. when they came forward to assist in the preservation of order and save expense, by forming unpaid Magistracies—when they set up Orphan Schools—Hospitals—Dispensaries—and similar institutions—when they were called to receive (as an

acknowledged Public) from Lord Hastings a *compterendue* of the greatest political and military operations ever undertaken in India—when they hailed the liberation of the Press in speeches and addresses, and, in short, did every thing which a Public, not actually holding any share in the Government or Legislation could well do, *to prove its existence.*

95. Times indeed are somewhat changed within the last few years, every thing thus savouring of free institutions is now carefully and jealously put down—the Press is destroyed ; and the Supreme Court, an Independent and Royal Court of Judicature, has *not* scrupled to rivet the fetters of publicity, and to accept at the hands of Government, which this Tribunal was instituted to check, *a scandalous immunity against free scrutiny and remark on the conduct and opinions of the Judges!!* a thing as yet unparalleled in the annals of British Justice elsewhere. The privileges of the inhabitants have been variously curtailed in the control over the public Charity-fund, which the Government have handed over to a close self-selected Vestry ; and in the abolition of their ancient

right as a *grand Jury to assess their own house-tax*.

96. But in the midst of these mutations, all of which are in the same spirit favourable to power and against the community, it is somewhat consoling to observe that the noble privilege of voting *agreeable* addresses remains unimpaired, provided always that things be done with the ceremonial prescribed by jealousy to take away real freedom of speech and opinion, while preserving all the appearances to the world of perfect independence. Since the epoch when the "public" voice was solemnly declared in print, by Governor Adam, to have no existence, legal or actual, this very same unreal mockery of a Public appears to have rewarded (or ridiculed) that illustrious declarant, by voting him empty compliments and a substantial picture. The same shadowy body has also performed the usual Ko-tou before the shrine of the new Ruler of their destinies;—and another section of this phantom—the non-existing Public—has even gone so far (headed indeed by a Major-General on the staff) as to congratulate Governor Adam, and *itself*, on his triumphant completion

of the work, he had long it seems meditated, of crushing the last remnant of free opinion, and crowning it by a sacrifice—not indeed of himself—but of a defenceless individual, his family, and prospects, which are all reduced to ruin by Mr. Adam's act! This temporary Governor is not ashamed to take part in this despicable comedy ; he affects to consider this addressing, but non-existing, Public, of military station, headed by their General, as an honest independent body “daring to be honest in the worst of times.” He answers—*admitting their right to approve* and disapprove political acts, coquets as to his own merits, and finally allows that he *deserves* that praise they are so well qualified to bestow! True it is that all this consistent stuff has recently been exchanged between these personages ; and to complete the humour of the thing, it is all carefully sent to the English news-papers by some officious person or other, just as the discussions are coming on. But injudicious friends would do well to learn, that similar addresses are utterly valueless, and below contempt, in a community where all hold actually and prospectively, at the will

of the person addressed ; and the reason is, precisely *because* they are signed publicly. In such a country, *anonymous* praise is worth a wilderness of addressing major-generals, because good ground must be assigned for the good opinion, and the anonymous *be-praiser* cannot be suspected of interested motives. Herein lies the marked difference between a free and a servile community. It is only in the former, that *open* praise is of value ; in the latter all such is justly suspicious. What value in his heart can Governor Adam set upon the approval of those who, as he has written and printed, are not free to *disapprove* ?

SECTION V.

Conclusion—and Connection of the Press with Colonization.

98. The case, as originally proposed, is now closed. It is believed to be proved,

FIRST, that if the good of the great body of the governed be truly desired, it is quite indispensable

they should be protected against the severity of the Government, and misconduct of European and Native servants.

SECONDLY, that as no INSTITUTIONS of any sort, independent of the Government, exist in India, the only possible substitute is, the Press, which enables men freely and *anonymously*, but under severe *legal* responsibility, to intercommunicate their thoughts, and to exercise an *indirect* control and check on the measures of Government, and the conduct of its servants.

THIRDLY, that none *ought* to have a greater interest in the operations of the Press, than, 1st, *The Indian Governments*, who cannot possibly govern their immense regions without some such auxiliary to their direct superintendence. 2dly, *The Court of Directors*, who cannot otherwise know both sides of every story, or what is really going on abroad. 3dly, *The Proprietary Body*, who desire to review the acts of *all* their servants fully, at home and abroad.

FOURTHLY, that if this expression of public opinion through the Press be limited to England, it must necessarily be without EFFICACY, or even

PERMANENT SAFETY to the common interests of the people of India and England.

FIFTHLY, that in India alone, it can be exercised with *complete* **EFFECT** and *perfect* **SAFETY**.

99. One only topic remains to be noticed, and that addresses itself chiefly to those persons in England, whether manufacturers, stockholders, Indian annuitants, ship-owners, under-writers, or others, who are connected with India, and interested in its prosperity.

100. It is vulgarly supposed, and no little pains have been taken to spread the notion, that the body of men in question have no near interest in the establishment of a more liberal system and institutions for British India. There cannot be a more entire or fatal mistake.—None can possibly have a *nearer* interest than they, in the development of the vast resources and powers of that country; and they are cautioned to turn a deaf ear, or rather a well-prepared ear, towards such as, for their close and sordid purposes, endeavour to inculcate this selfish doctrine, and thereby, to keep India from obtaining the good wishes and power-

ful aid of friends in England, in order that they may have her all to themselves, to serve their little turn.

101. Nothing is more undeniably true in political economy than this: that a nation cannot import more than she can pay for by exports. If India be not allowed to make the most of her natural products, in silk, cotton, sugar, indigo, saltpetre, coffee, &c. how is it possible she can take the manufactures of England to any amount? —If, in these respects, India were allowed to do her utmost, there is scarcely a limit to her power of taking manufactures. What hinders her from making the most of her products? Why does she not substitute, in her infinitely varied soil and climate, the finer cottons of the West for the inferior staples, which are indigenous to her? Why does she not indefinitely extend the growth and fabrication silk? Why not improve the manufacture of sugar, according to the more finished processes of other countries?

102. The reason is two-fold, 1st. European skill intelligence, and superintending industry, are excluded from employment, owing to the absurd

and pernicious prohibition of Colonization. 2d. European capital is excluded from overflowing and enriching that boundless field, Indian agriculture. What *might* be done by European skill and capital, we see, by the creation, in our own times, of the indigo culture and manufacture. It had scarce any existence thirty years ago: now it produces, annually, eight or nine millions of pounds, and the finest qualities, equal to the old indigo of Mexico. All this is *entirely* the work of European skill and capital, it is believed to be owing chiefly to the policy of his Majesty's Ministers, that India was so far thrown open to enterprise.—A second such effort has never been made.

103. But nothing can be done towards this great work without COLONIZATION—not by means of a resort of labouring men; for such there is no room, nor would the climate admit of their working—but by a resort of men possessed of capital, education, and talents to direct the labour of others, and willing to render *militia*-service in case of invasion or rebellion.

104. COLONIZATION can never take place until that absurdest of bye-laws is repealed which

hinders Europeans from holding land in their own names,—a law that encourages and winks at mendacity and public immorality.

105. COLONIZATION can never take place until every man's property and person, of whatever class, colour, or religion, be put under the protection of *known* and equal laws, that leave no pretext for imprisonment, banishment, fine, or confiscation, but by the sentence of impartial, public, and independent tribunals. To this end the power of transportation by Government, without trial, and the system of licensing Europeans at all, must be repealed, as the very first preliminaries.

106. COLONIZATION would increase the imports of British manufactures into India, not only by adding incalculably to the amount of exchangeable exports—not only by adding immediately and remotely to the numbers of consumers, but also by diffusing a taste for luxuries and conveniences, and gradually raising the *standard* of want, and thereby of happiness. India is at present at the very bottom step of the *ladder* of civilized life. The food, raiment, shelter, requi-

site for mere support of life are all of the commonest and scantiest kind ; in consequence of this and of the unfortunate stimulus given to early marriage by the pernicious customs of the Hindoos, the country swarms with redundant—but wretched—population, and the smallest scarcity carries with it the same tremendous effects as in potatoed Ireland.

107. All impartial travellers admit that the districts of India where European Indigo Planters have settled most thickly are by far the most flourishing and prosperous. Such are the undoubted effects of European capital and example. All India might be *such* as these Indigo districts are.

108. But owing partly to the prohibition against investing European capital in land or agriculture, it is prodigiously accumulated in the hands of the great capitalists at the principal settlements. Unable to find a profitable, secure, and reasonable vent, it seeks investment in the Public Funds, which bear no proportion there to the wants of the capitalists, and which the Company are every day reducing still further in amount, to the great

distress of thousands, and disquiet of those who think that one of our great securities for Native attachment is the vast quantity of the Public Funds which they hold in perfect confidence.

109. Thus the Public Funds rise prodigiously, and the general rate of interest falls vastly below the level at which it *would* stand if capital were free to find its level in employment, whether agricultural or other.

110. The consequence of this unnatural rise of Funds and fall of Interest is that the Government seize the occasion of paying off capital Debt, and reducing Interest, thereby adding immeasurably to the distresses of absentees, annuitants, and others, in England; of public charities, settlements, &c. &c. in India, all of which are invested in the stocks, because they are arbitrarily hindered from investment in landed property. But for this unjust prohibition, the acts of Government in paying off and reducing interest would be quite right: as it is, they profit by their own violence and wrong.

111. These are some of the views which it was at one time hoped the Freedom of Discussion by

the Press in India might have helped to accomplish. Certain it is, that *without a Free Press there*, none of the benefits mentioned above, as so anxiously desired for India by her real friends, could, even if procured, be preserved against the vast power and influence of a government, which may be said *substantially* to hold in its hands the legislative, judicial, and executive powers, with all patronage, and not a corporation or institution of any kind to oppose it in any thing. It was believed that the shortest and surest way to obtain these benefits, in the first instance, was to bring men's minds, by dint of discussion, to see the necessity for such improvements. Perhaps this may have been the very reason why, from its outset, the Indian Press was viewed with such unmeasured hostility and alarm. It cannot be expected that the Company or the Company's servants should take the same interest in the improvement of the resources of India, and the happiness and productive powers of the people, that others do who are virtually Colonists, from *birth* or connexions, or whose fortunes and families are staked on the welfare of that country. The revenue of India

already overpays its charges—what more could the Company gain by troubling themselves with dreams of improvement? What could the Company's servants gain beyond their salaries, of which they are quite secure in the present condition of the country?

112. It is now for the Merchants and Manufacturers of this country to determine whether they choose to support the present close system, or to compel—for compel they *can*, if they *will*—a more liberal one. Of one thing, however, they may be assured,—that the Question of the Press is inseparably bound up with their interests and those of India—interests which are but one and the same, AND WHICH MUST SOONER OR LATER PREVAIL.

A PROPRIETOR OF INDIA STOCK.

